

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1136 be amended to read as follows:

- 1 Page 5, line 8, delete "and" and insert "**or**".
- 2 Page 5, line 16, delete "notice" and insert "**memorandum**".
- 3 Page 5, line 19, after "commissions" delete ", but in no case" and
- 4 insert ". **The principal broker shall record a notice of lien no**".
- 5 Page 5, line 21, after "claimed" insert ", **but may not file a notice**
- 6 **of lien against an owner's property if the tenant is the sole party**
- 7 **liable for payment of the future fees or commissions**".
- 8 Page 5, line 21, after "section" insert "**11(a) or**".
- 9 Page 5, line 23, delete "two (2) years" and insert "**one (1) year**".
- 10 Page 5, line 24, after "lien." insert "**A memorandum of lien**
- 11 **recorded under this chapter must meet the requirements of**
- 12 **sections 12(1)(A), 12(1)(B), 12(1)(C), 12(1)(E), 12(2), 12(3), and**
- 13 **12(4). A memorandum of lien shall not constitute a lien against the**
- 14 **real estate but shall provide notice of the right to future fees or**
- 15 **commissions**".
- 16 Page 5, line 29, after "valid" insert "**memorandum of lien or**".
- 17 Page 5, line 33, before "notice" insert "**right to future fees or**
- 18 **commissions and, if applicable**".
- 19 Page 5, line 35, after "a" insert "**memorandum of lien or**".
- 20 Page 6, line 19, after "lien." insert "**However, for future fees or**
- 21 **commissions payable over a period in excess of one (1) year from**
- 22 **the occurrence of a condition for which such future fees or**
- 23 **commissions are claimed, the commencement of the suit must be**
- 24 **within one (1) year of the latest date for which future fees or**
- 25 **commissions are due**".
- 26 Page 7, line 22, after "a" insert "**memorandum of lien or**".
- 27 Page 7, line 31, after "the" insert "**memorandum of lien or**".
- 28 Page 8, line 6, after "a" insert "**memorandum of lien or**".
- 29 Page 8, line 15, before "lien" insert "**memorandum or**".
- 30 Page 8, line 15, after "release of the" insert "**memorandum or**".

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Page 8, line 36, before "lien" insert "**memorandum or**".
(Reference is to EHB 1136 as printed February 24, 2006.)

Senator LONG